

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|--------------------------|-----------------|----------------|
| Applicant: | FRIESEN | Examiner: | Unknown |
| Serial No.: | 10/551,302 | Group Art Unit: | 1614 |
| Filed: | September 27, 2005 | Docket No.: | 12695.0015USWO |
| Title: | MODULATION OF CELL DEATH | | |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 841294884 US

Date of Deposit: *September 25, 2006*

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

By: *[Signature]*
 Name: John Junkers

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the International Search Report. At least some of the references were cited in an International Search Report mailed September 29, 2004.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. § 1.98(a)(3)):

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

An English abstract has been provided for Patent EP 0 282 696 A2 which was published in German.

An English abstract has been provided for Patent SU 1808326 A1 which was published in Russian.

An English abstract has been provided for Patent JP 9-221425 which was published in Japanese.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

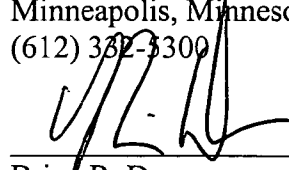
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,



MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-3300

Dated: September 25, 2006



Brian R. Dorn
Reg. No. 57,395

BRD/ncb

Date Mailed: September 25, 2006

Sheet 1 of 2

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| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 12695.0015USWO | Application Number: 10/551,302 |
| | Applicant: FRIESEN Filing Date: September 27, 2005 | Group Art Unit: 1614 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|--------------|---------|-----------------------|-------|----------|----------------------------|
| | 6,051,587 | 04-2000 | Dakashinamurti et al. | | | |
| | 6,043,259 | 03-2000 | Dhalla et al. | | | |
| | 6,339,085 B1 | 01-2002 | Haque | | | |
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|--------------|---------|--------------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| | 0 282 696 A2 | 09-1988 | EPO | | | Abstract | |
| | 0 379 936 A2 | 08-1990 | EPO | | | | |
| | 9-221425 | 08-1997 | Japan | | | Abstract | |
| | 1808326 A1 | 04-1993 | Soviet Union | | | Abstract | |
| | 98/32429 | 07-1998 | WIPO | | | | |
| | 00/53606 | 09-2000 | WIPO | | | | |
| | 00/057863 | 10-2000 | WIPO | | | | |
| | 01/03682 A2 | 01-2001 | WIPO | | | | |
| | 01/64692 A1 | 09-2001 | WIPO | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|--|---|
| | Berge et al. "Pharmaceutical Salts", Journal of Pharmaceutical Sciences, Vol. 66 No. 1, (1997) p. 1-19 |
| | Geng et al. " Protective Effects of Pyridoxal Phosphate against Glucose Deprivation-induced damage in Cultured Hippocampal Neurons", Journal of Neurochemistry, Jun 1997, Vol 68, No 6 p. 2500-2506 |
| | Ishaque, et al. " Role of Vitamins in Determining Apoptosis and extent of Supression by bcl-2 during Hybridoma Cell Culture", Apoptosis, Vol. 7, No. 3, June 2002 |
| | Namazi M.R. " Pyridoxal 5-Phosphate as a Novel Weapon against Autoimmunity and Transplant Rejection", The FASEB Journal, 17 (15), P. 2184-2186 (2003) |
| | Nathan "Points of Control in Inflammation", Nature, Vol 420, December 2002, p. 846-852 |
| | Sawaki et al. "Effect of pyridoxal phosphate administration on hepatitis C virus RNA in patients with hepatitis type C" Chemical abstracts service, (1997) 135(4), Abstract |

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|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |

*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Date Mailed: September 25, 2006

Sheet 2 of 2

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|---|------------------------------------|-----------------------------------|
| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION Use several sheets if necessary | Docket Number: 12695.0015USWO | Application Number: 10/551,302 |
| | Applicant: FRIESEN | |
| | Filing Date: September 27, 2005 | Group Art Unit: 1614 |

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|--|--|--|
| | | Sawaki et al. "Effect of pyridoxal phosphate on CD4, CD8 T cell and HCV-RNA In patients with hepatitis type C" Chemical abstracts service, (1998) 136(5), Abstract |
| | | Yamashima et al. " Neuroprotective Effects of Pyridoxal Phosphate and Pyridoxal against Ischemia in Monkeys" Nutritional Neuroscience, 4(5), 389-397 Coden: NNINFE; ISSN: 1028-415X, 2001, XP008033483 |
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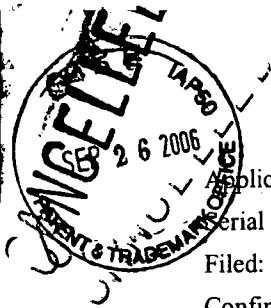
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*Substitute Disclosure Statement Form (PTO 1449)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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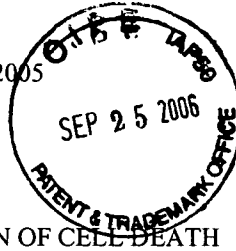


9-26-06
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10551302 - GAU: 1612
1614

Applicant: FRIESEN
Serial No.: 10/551302
Filed: September 27, 2005
Confirmation No.: Unknown
Due Date: N/A
Title: MODULATION OF CELL DEATH

Examiner: Unknown
Group Art Unit: 1614
Docket: 12695.0015USWO
Notice of Allow. Date: N/A



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By: [Signature]
Name: John Jankers

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 17 Reference(s)
- ☒ Other: International Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By: [Signature]
Name: Brian R. Dorn
Reg. No.: 57,395
BRD/ncb